

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MENDEL STERN, AHARON OSTREICHER,
YOCHONON MARKOWITZ, ABRAHAM KOHN,
ISAAC SCHWIMMER, ESTHER SCHWIMMER,
JOEL SABEL, YOEL FRIED and FRAIDA M. FRIED,
MELECH KRAUSS, ISRAEL OSTREICHER,

7:18-CV-04622
(NSR)(PED)

Plaintiffs,

NOTICE OF MOTION

-against-

HIGHLAND LAKE HOMEOWNERS ASSOCIATION,
ARTHUR EDWARDS, INC., ARCHWAY PROPERTY
MANAGEMENT, INC., CARMINE MASTROGIACOMO,
CHRISTOPHER PERRINO, ALEX RUBANOVICH,
NANCY DIAZ and RAY TORRES,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Richard S. Sklarin and Affidavit of Carmine Mastrogiacomo, both dated January 21, 2020, along with the exhibits annexed thereto and Memorandum of Law, defendants herein will respectfully move this Court at 9:30 a.m. on February 25, 2020, or as soon thereafter as counsel may be heard, in Room 218 of the United States Courthouse for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York 10601 before United States District Judge Nelson S. Román, for the following relief: 1) an Order, in accordance with Rule 60(b) of the Federal Rules of Civil Procedure, vacating the parties' August 31, 2018 "so ordered" stipulation whereby the entrance/exit gates within the Highland Lake

Estates subdivision (owned and operated by defendant Highland Lake Homeowners Association, Inc.) would remain open during the pendency of this litigation (aside from 1:30 a.m. to 5:30 a.m. Sunday through Friday, and between Friday sundown, and Saturday sundown when the entrance and exit gates could remain in a closed position); and 2) granting such other and further relief as this Court may deem just and proper under the circumstances.

Dated: Elmsford, New York
January 21, 2020

Yours, etc.
MIRANDA SLOANE SKLARIN VERVENIOTIS LLP


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INC. i/s/h/a HIGHLAND LAKE HOMEOWNERS
ASSOCIATION, ARTHUR EDWARDS, INC.,
ARCHWAY PROPERTY MANAGEMENT, INC.,
CARMINE MASTROGIACOMO, CHRISTOPHER
PERINO i/s/h/a CHRISTOPHER PERRINO, ALEC
RUBANOVICH i/s/h/a ALEX RUBANOVICH, NANCY
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